

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**PATTY L. SMITH,**

**Plaintiff,**

**VS.**

**MICHAEL J. ASTRUE,**  
**Commissioner of Social Security**  
**Administration,**

**Defendant.**

**4:09CV3164**

## ORDER

This matter is before the court on the plaintiff's Motion to Proceed *in forma pauperis* (Filing No. 2). The plaintiff filed an affidavit in support of the motion. Upon consideration,

**IT IS ORDERED:**

1. The plaintiff's motion to proceed *in forma pauperis* ([Filing No. 2](#)) is granted; accordingly, the plaintiff shall be allowed to proceed without payment of the filing fee.

2. The U.S. Marshal shall serve the summons and Complaint without payment of costs or fees. Service may be by certified mail pursuant to [Fed. R. Civ. P. 4](#) and Nebraska law in the discretion of the U.S. Marshal.

3. To obtain service of process on the defendant, the plaintiff must complete and return three summons forms and three USM-285 forms. Upon receipt of the completed forms, the Clerk of the court will sign the summons forms, to be forwarded with copies of the Complaint to the U.S. Marshal for service of process.

DATED this 30th day of July, 2009.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge